

1900-009
Lee Co.

Chancery Causes: Sopha E. Bundy vs. Adm. of Henry Bundy &c

Weston, Hickle, Ingle, Parsons

CA-Estate Dispute
T-Property

Will: 1884 : Henry Bundy : Lee County

To the Honorable W.T. Miller Judge of the Circuit Court of
Lee County Virginia:

Humbly complaining, your oratrix Sopha E. Bundy, would respect-
-fully represent and show unto your honor, that her father
Henry Bundy departed this life in Dec. 1888, that before his
death he made a will an attested copy of which is filed here
with, and made a part of this bill marked "will", your honor will
observe from an inspection of said will, that he willed his
entire estate to three of his children (both real and personal),
W.S. Bundy, John H. Bundy and Martha Bundy, until his youngest *child*
became twenty one years old, at the expiration of that time
he directed that his Executor sell his land on a credit of
one and two years time with interest, and the proceeds be e-
equally divided among all his children. Your orator alleges
that at the time he made said will, he had eight children living-
to wit, your oratrix, Alfred, W.S., John H., Mary J., Martha, Thomas
N., and Joseph H. Bundy, the last named being the youngest, who
arrived at the age of twenty one years in Feb. last. Your oratrix
would state that William Rock never did qualify as Executor
of her father's will, and has long since been dead; that letters
of administration with the will annexed has been duly granted
by the County Court of Lee County to W.P. Weston, Sheriff; that
Alfred Bundy is dead and left surviving him one child Sarah
Jane Bundy who is an infant under the age of 21 years; that
Martha married Irvin Ingle, that Mary J. married Hickie
and she resides in the State of Tennessee, that W.S., John H.
Thomas N., and Joseph H. Bundy reside in the State of Nebraska
that W.S. Bundy and John H. Bundy have sold their interest in
said land to one Henry Davis, who sold the same to Nancy B.
Parsons who is now in the possession of said land and claiming-
the same by reason of her purchase from Henry Davis.
Your oratrix alleges that said will was duly proved and admitted
to probate in the County Court of Lee County as will appear

by the order of said Court. In tender consideration and for
as much as your oratrix is remediless in the premises save
the aid of a court of equity, the prayer of your oratrix is
that W.P. Weston Administrator with the will annexed of Henry
Bundy dec., W.S. Bundy, John H. Bundy, Joseph H. Bundy, Thomas N.
Bundy, Martha Ingle, Mary J. Hickie and Sarah J. Bundy infant
and Nancy B. Parsons
be made parties defendant to this bill, and answer the same,
that a guardian ad litem be appointed to defend for the infant Sarah J. Bundy -
but not on oath, that being waived; that the will of Henry Bundy
dec. be specifically executed and carried out; that the lands
be sold on the terms prescribed in said will, and the proceeds
of sale divided among those entitled thereto, and your oratrix
that order of publication be made against the now residing defendants,
part paid to her. And that all further and general relief may
be granted your oratrix as her case may require or to equity
seem meet &c. And your oratrix will ever pray, &c.

M. G. Ely Jr

Plaintiffs Costs

Clerk 7.77
 Tax 1.50
 Printer 5.00
 Atty 15.00
 Comr 5.00
 Shff 4.70
 Co 25-
 witnesses 74
 Estimated 5.00

S.A.F. \$44.96
 8.00
 \$49.96

Continued next

Tuesday Oct-18/8

M.J.H.
 29.0-19.48
 185-
 4.23
 49.96
 54.21

1898

Sophia E. Brundy-

vs E. Rice in Chancery

W. P. Weston admr &c

1898 2nd May rules Sps 2d
 on home Defts & D. R.
 & O. P. for non residents
 11 1st June rules taken the
 last Monday in May, D. R.
 Confd & O. P. Complete &
 Cause bit for hearing

Virginia:

Circuit Court for Lee county:

To the Hon.W.T.Miller, Judge of said Court:

The separate answer of Sarah J.Bundy, an infant under the age of twenty-one years, by L.T.Hyatt, ~~her~~ guardian ad litem, assigned to defend ~~her~~ in this suit, to a bill of complaint exhibited against her and others in said court by Sopha E.Bundy.

Respondent, reserving to herself the benefit of all just exceptions to the said bill, for answer thereto, or to so much thereof as she is advised that it is material that she should answer, by her said guardian ad litem, answers and says:

That she is an infant of tender years, and by reason of her infancy, is incapable of understanding, or of taking care of her rights and interests. She, therefore, by her said Guardian ad litem commends herself and her rights and interests to the protection of the court, and prays that no decree may be rendered which will tend to her prejudice.

And having fully answered, the said respondent, pray^s to be hence dismissed with her reasonable costs in this behalf expended, and she will ever pray &c.

L.T.Hyatt, Guardian ad litem for Sarah J.Bundy.

Virginia, Lee county,, to wit:

This day personally appeared before me, A.B.Munsey, Clerk of the said court for said county of Lee in the state of Virginia, L.T.Hyatt, guardian ad litem for Sarah J.Bundy, whose answer is above written, and made oath that the statements contained in the said answer, so far as made of his own knowledge are true; and so far as made from information derived from others, he believes to be true. Given under my hand this ~~2xst~~ 6th day of June, 1898.

A.B.Munsey Clerk.

Sophia E. Bundy-

vs. { In Chy.

W.P. Weston Admr.

&c et als.

Answer of Sarah
J. Bundy, by R. S.
Hyatt, guardian
ad litem

Filed in open court
and by leave thereof
June 6th 1898.

Filed in open court
and by leave thereof
June 6th 1898
A B Munsey CK

Fee \$5.00

To the Hon W. J. Miller Judge
of the Circuit Court of Lee
County Virginia

The defendant
separate answer of Nancy B.
Parsons to a Bill filed in this
Hon Court against her and others
by W. P. Weston & co.

Respondent says the
pleffs Bill is not good and
sufficient in law and of this
she prays judgement of the Court &c.

But further answering
she says the will of Henry Bundy,
a copy of which is filed with
this Cause is correct and shows
what its provisions are. The
names of the children of the
said Henry Bundy are possibly
correctly set out - but this she
neither admits or denies. How-
ever that may be she, this re-
spondent owns by purchase
 $\frac{7}{8}$ of said land, if there be 8
children or $\frac{6}{7}$ if there be only
seven, which she believes to be
correct. But she is an old
feble & ignorant woman, and
the deeds & title papers which
she holds are, undoubtedly

drawn, and for one or two
shares she has only receipt for
the payments made. And she
is advised that an enquiry ought
to be made as who, the several
crowners are, and the shares they
own before sale, shall be made.

If she shall be held by the Court
to be the owner of the shares, she
claims and has paid for them
she can pay for the residue on
a fair sale, but unless she can
thus set up her claim she may
and certainly will be able to save
her home.

Besides, she is advised
that these claims, so asserted by
her, and which she has honestly
paid for constitute such a cloud
and difficulty about said title
that sale would be ruinous
and ought to be clearly settled
before sale. She prays therefore
that a Commissioner be ap-
pointed to ascertain and re-
port the state of her title, and
who the other holders are and
interest they own.

The place is
only about 15 acres of thin
land and valuable only for a
small house. But is all she

1 has and she wishes to have it
2 if she can. on this ascertain-
3 ment she is advised a sale
4 will be necessary as the land is
5 not susceptible of partition
6 without the consent of all.

7 And having now fully ans-
8 wered the prayer to be dis-
9 missed &c.

10 Frederick Dewees,

Nancy B. Parsons

ack } Answer.

Sophia E. Bundy

Filed June the 15th
1898

A. B. Munsey Clerk

Sophia E. Bundy Plff -
against $\frac{1}{4}$ In Chancery
W. P. Weston adm. et al, Defts.

This cause came on this day to be heard upon
the papers formerly read in the cause, the report
of M. G. Ely Commissioner and exhibit therewith, and
was argued by counsel,

On consideration of which the court doth approve
and confirm said report, and it appearing from
said report that the purchaser W. J. Howard
has transferred his bid to A. E. Davis, and
that A. E. Davis has paid the purchase money
in full and is entitled to a deed, M. G. Ely
who has heretofore been appointed a
commissioner for the purpose, will make
and execute to A. E. Davis a deed with
covenants of special warranty to the lands
described in the proceedings in this cause
and said deed having been made, and
filed in the cause, and being inspected by
the court, the same is approved and
confirmed, and the court doth further order
and decree that A. E. Davis pay to M. G. Ely
\$5⁰⁰ for executing said deed and the purchaser
may with day the same for recordation,
and the cause is stricken from the
docket,

Sophia E. Bundy Off
No. 11 Decree Final
W. P. Weston admr. et al

Entered on Levy Order
Book No 6 Page 362¹/₃

Enter This

Hawthorne

March 13 - 1860

Sophia E. Bundy Poff.

Against $\frac{2}{3}$ In Chancery

W. P. Weston admr, et al. Defts.

This cause came on this day to be heard upon the papers formerly read in the cause, the report of sale of Commissioner M. G. Ely, and was argued by counsel,

On consideration of which, the Court doth approve and confirm said report, And said Commissioner Ely will disburse the costs in lands to the parties entitled thereto, and forced to collect the purchase money when due, And when said purchase ^{money} is paid in full, Commissioner M. G. Ely will execute to the purchaser W. J. Howard a deed with covenants of special warranty and the cause is continued,

Sophia E. Bundy Plff
vs. $\frac{2}{3}$ In Chancery.
Decr.
W. P. Weston admr et al.

Eu. C. O. B. 6 p. 235-

Enter this

W. J. M.

March 8th, 1899

Sophia E. Bundy Plff.

vs. E. E. Lee Chancery,

W. P. Weston admr. et al. Defts.

This cause came on this day to be heard upon the papers formerly read in the cause, the report of Special Commissioner H. C. Joslyn and was argued by counsel -

On consideration of which it appearing that said report had been filed more than ten days and being unexcepted to, the court doth. approve and confirm said report, The court doth. further order and decree, that M. G. Ely who is hereby appointed a special Commissioner for the purpose, ^{at public Auction to the highest bidder} doth advertise and sell, the lands of the late Henry Bundy dec. and described in said bill, said sale shall be at the front door of the court house of Lee County, on some court day, after having advertised the same by written notices posted on the front door of the court house of Lee County and in the vicinity land for at least 30 days. Said sale shall be pursuant to the terms of the will of Henry Bundy dec., on a credit of one and two years - except costs of suit and commissions of sale which will be required to be paid cash in hand - and for the deferred payment bonds with approved security shall be taken by said Commissioner but said Commissioner Ely before acting under

This will execute bond before the chief of this
Court in the penalty of \$100, conditioned
according to law and the cause is continued.

Sophia E. Bundy Off.

N.E. Deere no. 2

W.P. Weston Adm. of Prob. Dist.

Ex. C.O.B. 6 p. 177.

Enter this

Nov. 11th, 1898

Sophia E. Bundy Plff.

vs. &c In Chancery

W. P. Weston admr, et al Defts

This cause came on this day to be heard upon the ~~papers formerly~~ the bill of complainant exhibits filed therewith, the answer of Nancy Parsons, General replication thereto, process duly executed on the other home defendants, and order of publication duly posted and published as to the non-resident defendants, the answer of L. F. Hyatt Guardian ad Litem for the infant defendant duly sworn to, and general replication thereto, and was argued by counsel,

On consideration of which, it appearing to the court proper that the interests of the parties in said cause be ascertained before a sale pursuant to the terms of the ^{late} will, ^{of Henry Bundy Dec.} It is therefore ordered and decreed that H. C. Joslyn who is hereby appointed a Commissioner for the purpose, will ascertain and report, what interests the said defendants hold or are entitled to in the lands of Henry Bundy Dec. and especially the interest owned by Nancy Parsons, he will report the evidence taken before ^{him} to the court, and before acting he will give the parties in interest due notice of the time and place of his sitting, and report to court and the cause is continued,

Sophia E. Bundy
us. & & Secrecy
W. D. Weston adm. Fols

Eu. C. B. 6/5 1874.

Enter this

W. D.

June 15th, 1898

Virginia

At a Circuit Court continued and held
for Lee County at the Court-house thereof on
Friday the 11th day of November 1898,

Sophia E. Bundy

Plaintiff

vs.

M. P. Weston Adm'r et al Defendants

In Chancery

This Cause came on this day to be heard
upon the papers formerly read in the Cause
the report of Special Commissioner H. C. Joslyn
and was argued by Counsel. On consideration
of which it appearing that ^{said} report had been
filed more than ten days, and being unexcepted
to the Court doth approve and confirm the said
report. The Court doth further order and decree
that M. G. Ely who is hereby appointed a Spe-
cial Commissioner for the purpose do adver-
tise and sell at public auction to the highest
bidder the lands of the late Henry Bundy de-
ceased, and described in said bill, said sale
shall be made at the front door of the Court-
house of Lee County on some Court day
after having advertised the same by written
notices posted at the front door of the Court
house of Lee County and in the vicinity of
said land for at least thirty days prior thereto
said sale shall be pursuant to the terms of
the will of Henry Bundy decd. on a credit of

one and two years except costs of suit and
Commissions of Sale which will be required
to be paid Cash in hand, and for the deferred
payments bonds with approved Security shall
be taken by Said Commissioner, but Said
Commissioner Ely before acting under this
decree will execute bond before the Clerk of
this Court in the penalty of one hundred dol-
lars (\$100.00) Conditioned according to law.
And the Cause is Continued.

A Copy

Teste: A. B. Munsey Clerk

Sophia E Bundy
vs Copy of Decree
W. P. Weston Adm'r et al.
Executed Dec 19th 1896
By delivering a true
Copy of the within
Decree to H. G. Ely
in Lee County Va
W. P. Weston S. E. E.

Copy for
M. G. Ely

Clerk 75^{cts}

Sophia E. Bundy

vs.
W. P. Weston Admr. et al. } In Chancery.

To the Hon W. T. Miller Judge
of the Circuit Court for Lee County Va.,
Your undersigned Special Com.
- missioner in the above styled
Cause, appointed by your Honor's
decree therein, on the 15th day of
June 1898, begs leave to report
that he has performed that duty
as follows. After giving due
notice to all parties interested,
on the 8th day of October 1898, and
on subsequent days, I proceeded
to ascertain the interests of all
parties in the lands of Henry
Bundy decd and find that Nancy
Parsons, owns five of the eight
shares in said estate as follows.
The Shares of Martha Engle
John H. Bundy. Alfred Bundy.
William S. Bundy, and Mary
J. Seymore. Martha Engle
and Mary J. Seymore being
daughters and heirs at law
of Henry Bundy decd
It appears from deeds filed
before me that Henry J. Davis
deeded to Nancy Parsons. The

five shares of the estate of Henry Bundy decd. mentioned above, and that he derived his title as follows:

Martha Engle deeded her share to Henry J. Davis. John H. Bundy deeded his share, and the share of Alfred Bundy, to Henry J. Davis. Alfred Bundy having previously deeded his share to John H. Bundy, and that William S. Bundy deeded his share, and the share of Mary J. Seymour to Henry J. Davis. Mary J. Seymour having previously deeded her share to William S. Bundy.

I find that Sophia E. Bundy owns one share or $\frac{1}{8}$ part of the lands of Henry Bundy decd. That Thomas H. Bundy owns one share or $\frac{1}{8}$ part of the lands of Henry Bundy decd. and that Joseph H. Bundy owns one share or $\frac{1}{8}$ part of the lands of said Henry Bundy decd.

From papers laid before me, and statement of persons who

are in a position to know. I find that the estate consists of about fifteen acres of rather poor land, and that it cannot well be divided. I have taken no written testimony in this case, as the parties when called upon have furnished papers that seem to be satisfactory to all the parties and their attorneys.

And now having performed the duties assigned me to the best of my ability I submit this my report.

Oct 29th 1898.

Very Respectfully
H. C. Forsgren
Special Commissioner.

Sophia C. Bunch
O.S. 3 In Chg

W. P. Weston Adm^{ist}


Report of H. C. Jorlyn
Special Comr

Filed October 31st 1898
A. J. Muncy Clerk

Commissioners for
for taking account
Sheriff's fee \$5.⁰⁰/₂₀

To. m. G. Ely com -

You are hereby directed and notified that
I have for value received transferred and
assigned to A. E. Davis my bid on the
Bundy land which was sold in the
chancery cause of Sophia E. Bundy vs -
W. P. Weston adm. et al. - pending in
the Circuit Court of Lee County Va.
and in which I became the purchaser
and you are further directed to make
and deliver to A. E. Davis the deed to
said land when he pays the balance
of the purchase money - and lifts my
notes, witness my hand and seal
This Jan. 27th, 1908.

^{his}
W. J. Howard 

Witness W. J. Howard's mark

G. D. Smith

W. J. Howard
Loose Transfer of Bird -
A. E. Davis

"Howard"

To The Honorable N. A. W. Sher Judge of the circuit
court of Lee County Va-

Your commissioner in the chancery cause
of Sophia E. Bundy vs, W. P. Weston Adm, et als -
reports that the purchaser ^{of the lands} in the above styled
cause W. J. Howard on the 27th day of January 1900
transferred his bid to A. E. Davis as is shown
by a writing filed herewith marked "Howard"
and that said A. E. Davis has fully paid the
purchase money and is entitled to a deed
and your commissioner has paid the same to the factor entitled
Respectfully,
there to,

M. V. Eby commissioner

Sophia E. Bundy
vs. { Report of com-
{ M. G. E.

W. P. Weston adm. et al

Filed March 13th 1900

A. B. Munsey Clerk

To the Honorable W. J. Miller Judge of the circuit
court of Lee County Va.

Your undersigned Commissioner, begs leave to
report that pursuant to the terms of a decree
entered in the chancery cause of Sophia E.
Bundy vs. W. P. Weston admr. it ab- pending in
the circuit court of Lee County, and entered
on the 12th day of nov, 1898, I proceeded on
the 19th day of December 1898, at the front
door of the Court house of Lee County, ^{to sell} ~~and~~
said land at public auction to the highest
bidder, at which sale, W. J. Howard, was
the purchaser at the price of \$85⁰⁰, said purchaser
paid your Commissioner the costs and
commissions amounting to \$54²⁰, and
executed his several bonds for the residue
\$30⁸⁰ due in one and two years from date
with interest, with W. Y. Tucker as security

Respectfully Submitted,

M. L. Ely,

Commissioner

Lopha. E. Bundy
vs. E. E. Report of Sale

W. R. Westonsdun, et al.

Filed Feb. 21st, 1899
A. B. Munsey Clerk

December 14th 1883

I, Henry Bundy of the County of Lee
State of Virginia, being of sound
Mind do make this my last will
and Testament in regard to my prop-
erty both real and personal First
I give to my three Children William
S. Bundy, John H. Bundy and Martha
E. Bundy all my personal property
after my just debts and funeral
expenses are paid, and also my land
and premises until my youngest child
becomes twenty one years old, at the
expiration of said time, I direct that
my land be sold by my executor
on one and two years credit with
interest, and an equal division of the
proceeds be made amongst all my
Children when they arrive at the
age of twenty one years. The amount
of each Child part of the sale of
my land to be then paid over to
them or their legal representatives
by my executor. It is my will
and I appoint as my executor
William Koch, signed and sealed
in the presence of H. W. Bundy
Thomas Licens the date above written

Thos. Givens
H. H. Bundy

Harry ^{his} Bundy *Qual*
Jomart

Virginia.

At a County Court began
and held for Lee County at the Court
house thereof on Tuesday the 22nd day
of January 1884. The last will and
Testament of Harry Bundy deceased
was this day produced in Court, and
proved by the oaths of H. H. Bundy
and Thomas Givens the subscribing
Witnesses thereto, and said Will is
ordered to be recorded.

A Copy

Teste John D. Gibson Clerk

A Copy

Teste: S. V. Richardson
Clerk

Henry Bundy
To f Well

Recorded in Will Book
No. 9, page 603

Chas L. S. /

Sophia E. Brundy Plff. }
vs. In Chancery } Circuit Court of
W. P. Weston Adm et als. Defts } Lee County,
On the 15th day of June 1898. I,
was appointed a Special Commissioner
by decree of the Circuit Court of Lee
County Virginia, in the above styled
Cause, to make and state an
account, ascertaining what interests
the said defendants hold or are
entitled to in the lands of Henry
Brundy deceased, and especially
the interest owned by Nancy
Parsons, &c. Notice is hereby
given to all parties interested in
said Cause, that I will execute
said decree on the 5th day of
October 1898, at the office of H. O.
Ballou, in the Court House
in Jonesville Va., and will adjourn
from time to time, and from
place to place until my duties
are finished.

This Sept 29th 1898.

H. C. Joslyn
Special Commr

Sophia E. Bundy
vs.

W. P. Weston
Selmer et als

Commissioners
Notice of
taking account

I accept legal service of the within notice. Sept 29/98

L. T. Hyatt, G. A. L.
W. P. Weston
admr

M. G. Elgatty for Petf.

Legal service of the within notice is accept for Nancy Parsons. At his Ock 30/898.

Piramon & Seavey
attys.

In the Clerk's Office of the Circuit Court of the County of
Lee

Sophia E Bundy Plaintiff
against

In Chancery

W. P. Weston, Admr et al Defendant

This day M. G. Ely personally appeared
before me, A. B. Munsey Clerk of the said Court,

and being duly sworn, made oath that W. S. Bundy, John H Bundy
Thomas N Bundy, Joseph H Bundy, Mary J. Hickie
defendant in the said suit are not residents of the State of Virginia,

Given under my hand has Clerk of the said Court, this 25th day of April

A. B. Munsey Clerk

1898

Sophia Bundy

vs.

{ AFFIDAVIT FOR ORDER
OF
PUBLICATION.

W.P. Weston Admr et al

M. G. Ely p. q.

Filed April 25th 1898

A. B. Munsey Clerk

VIRGINIA:--In the Clerk's Office of the Circuit Court of the County of Lee
on the 25th day of April 1898.

Against

Sopha Bundy

Plaintiff

W. P. Weston Administrator and others

Defendant S.

In Chancery

The object of this suit is to Specifically enforce and carry out the last will of Henry Bundy decd. to sell the lands in the bill mentioned and divide the proceeds of sale among those entitled thereto.

And an affidavit having been made and filed that the defendants Mrs. Bundy, John H. Bundy, Thomas H. Bundy, Joseph Bundy and Mary Hickle

are not resident S of the State of Virginia, it is ordered that they do appear here within fifteen days after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Southwest Journal and that a copy be posted at the front door of the court-house of this county on the first day of the next term of the county court.

A copy—Teste:

M. G. Ely

P. Q.

A. B. Munsey

Clerk.

Sopha Bundy

AGAINST

ORDER
OF
PUBLICATION.

W. P. Weston Admr ^{etal}

M. G. Ely

P. Q.

Virginia Lee County to wit
I A. B. Munsey Clerk of the
Circuit Court for Lee County
do hereby certify that I
posted a copy of the within
order at the front door of
the Court House on the 1st
day of the County Court
of said County at the May
Term 1898.

Given under my hand
this the 16th day of May
1898 A. B. Munsey Clerk

The Commonwealth of Virginia, *or any Constable*

To the Sheriff of the County of Lee--Greeting:

WE COMMAND YOU, That you summon

Martha Dugle

H. C. Goslyn Spe Comm
to appear before the Judge of our Circuit Court of the County of Lee at the court-house thereof on the

26th

day of *October* 189*8*, to testify and the truth to say in behalf of the

Sept

Comm
in a certnin matter of controversy in our said Court, before the said ~~Judge~~ depending and undetermined between

Sophia C. Bundy

Plaintiff, and

W. P. Westford Admr et al Defendant.

H. C. Goslyn Comm
And have then there this writ. Witnes, ~~A. B. MUNSEY~~ Clerk of our said Court, at the court-house, the

24th

day of *October* 189*8*, and in the 12*2* year of the Commonwealth.

A copy--Teste:

H. C. Goslyn ~~Clerk~~
Spe Comm

—XXXXXXXXXXXXXXXXXXXX—

Sophia E. Bundy

Vs.

}

SUBPOENA
FOR
WITNESS.

W. P. Weston Adm^{or}

—XXXXXXXXXXXXXXXXXXXX—

Circuit Court, the 26th day

of Oct 1898.

Executed Oct 25th
1898 By summons
ing the within
named witness
W. P. Weston
S. J. C.

The Commonwealth of Virginia:

To the Sheriff of the County of Lee, Greeting:

WE COMMAND you, that you summon

W. P. Weston Adm de bonis
non with the will annexed of Henry Bundy dead
Joseph H Bundy, Thomas N Bundy, Sarah J Bundy infant,
W. S. Bundy, John H Bundy, Mary Jane Hickle, Martha Ingle
+ Nancy B Parsons
to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held

for the said Court on the *3rd* Monday in *May*, 1898, to answer a bill in
chancery, exhibited against *them* in our said court by

Sophia Bundy

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the *25th* day of *April*, 1898, and in the *122nd* year of the Commonwealth.

A. B. Munsey Clerk

vs.

}

SUBPOENA
IN CHANCERY.

p. q.

To..... Rules.

Court.

The Commonwealth of Virginia:

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, that you summon

*M. P. Weston Admr de bonis non with
the will annexed of Henry Bundy decd. Joseph H Bundy,
Thomas H Bundy, Sarah Jane Bundy (infant) M. S. Bundy
John H Bundy, Mary Jane Kinckle, Martha Ingle, & Nancy B
Parsons*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the 3rd Monday in May, 1898, to answer a bill in
chancery, exhibited against them in our said court by

Sopha E Bundy

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the 25th day of April, 1898, and in the 122nd year of the Commonwealth.

A. B. Munsey Clerk

Sophia Bundy.

SUBPOENA

VS. }

IN CHANCERY.

W. P. Weston, Admr et al

M. G. Ely p. q.

To 2nd May Rules.
Circuit Court.

Executed in part May 9th
1898 By delivering an attested
office copy of the within
summons to Martha J. Ingles.

W. P. Weston
Further executed on July
13th 1898. by delivering
a true copy of the within
subpoena to
W. P. Weston and Nancy
B. Parsons.
Jas. M. Weston, D.C.
for W. P. Weston, S.C.

VIRGINIA:—In the clerk's office of the circuit court of the county of Lee, on the 25th day of April, 1898:

Sopha E. Bundy...plaintiff,
against
W. P. Weston, administra-
tor, and others.....Defts.

In Chancery.

The object of this suit is to specifically enforce and carry out the late will of Henry Bundy, deceased, to sell the lands in the bill mentioned and divide the proceeds of sale among those entitled thereto.

And an affidavit having been made and filed that the defendants, W. S. Bundy, John H. Bundy, Thomas N. Bundy, Joseph H. Bundy and Mary J. Hickie, are not residents of the state of Virginia, it is ordered that they do appear here within fifteen days after due publication hereof and do what may be necessary to protect their interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Southwestern Journal, and that a copy be posted at the front door of the court-house of this county on the first day of the next term of the county court.

A copy—Teste: A. B. Munsey, Clerk.
M. G. Ely, p. q. 10

Printer's fee \$5⁰⁰

I, JOHN A. MAHONEY, publisher of THE

S. W. Journal
GATE CITY GAZETTE, a weekly newspaper

published at Gate City, Va., do hereby

certify that the appended advertisement

has been published in said newspaper for

four successive weeks. This 25th day

of May, 1898.

John A. Mahoney
Publisher Gazette.
Ed. Journal

THE GATE CITY GAZETTE,
ONLY PAPER PUBLISHED IN SCOTT COUNTY.
TERMS—ONE DOLLAR A YEAR, IN ADVANCE.

Sophia E Bundy
vs
W. P. Weston adm et al

Printer \$5.00

Gate City, Va., 189